EXHIBIT A

RANDAZZA LEGAL GROUP

Correspondence from:
Marc J. Randazza, Esq.
mjr@randazza.com

Reply to San Diego Office via Email or Fax

April 8, 2011

MARC J. RANDAZZA
Licensed to practice in
Massachusetts
California
Arizona
Florida

JESSICA S. CHRISTENSEN
Licensed to practice in
California

JONATHANE M. RICCI
Licensed to practice in
Michigan
Ontario, Canada
U.S. Tax Court

JASON A. FISCHER
Licensed to practice in
Florida
California
U.S. Patent Office

J. MALCOLM DEVOY
Licensed to practice in
Wisconsin
Nevada

Via Email

Jonathan Capp
jonccapp@cox.net

Re: IO Group, Inc. v LGBT, Ltd.

Dear Jon:

Attached please find Notices of Deposition for your clients in the district where this action is pending. I know that we discussed potentially taking their depositions elsewhere. However, since your clients are parties or directors of parties in the action, the Federal Rules of Civil Procedure permit us to take their deposition in the district where the matter is pending. The attached Notices of Deposition require them to appear in San Francisco.

Although we are serving these deposition notices on you now, and we are intending to take your clients' depositions in San Francisco, we are willing to make reasonable accommodations to your clients. Please note that my research suggests no compulsion to offer these accommodations. They are offered as a personal courtesy to you. Therefore, if your clients are reluctant to travel to San Francisco again at this time, we will offer to do the following options:

1. Take their depositions at your office in Oceanside, CA.

2. Take their depositions in either Boston, MA, or Miami, FL, both of which have ample non-stop flights from London.

If you have any questions about the propriety of these deposition notices, you may wish to turn your attention to *Trusz v. UBS Realty Investors, LLC*, 2011 U.S. Dist. LEXIS 11950 (D. Conn. Feb. 8, 2011). A copy is attached for your convenience.

In fact, it appears that, not only is it proper to depose your clients in San Francisco, but it would be improper to hold the depositions in London. Courts have held that such depositions are an intrusion upon the judicial sovereignty of England. See *Tietz v. Textron, Inc.*, 94 F.R.D. 638 (E.D. Wisc. 1982) (compelling British parties to appear in the United States for depositions and awarding fees to Plaintiffs); see also *Sykes Int'l, Ltd. v. Pilch's Poultry Breeding Farms, Inc.* 55

www.randazza.com

San Diego
3969 Fourth Avenue
Suite Number 204
San Diego, CA 92103
Tel: 888.667.1113
Fax: 305.437.7662

Miami
2 S. Biscayne Boulevard
Suite Number 2600
Miami, FL 33131
Tel: 888.667.1113
Fax: 305.437.7662

Las Vegas
7001 Charleston Blvd.
Suite Number 1043
Las Vegas, NV 89117
Tel: 888.667.1113
Fax: 305.437.7662

Toronto
1137 Centre Street
Suite Number 201
Toronto, ON L4J 3M6
Tel: 888.667.1113
Fax: 416.342.1761

F.R.D. 138 (D. Conn. 1972). More recently, in *Schindler Elevator Corp. v. Otis Elevator Co.* 657 F. Supp. 2d 525, 527 (D. N.J. 2009), a Plaintiff in a patent infringement action noticed a Rule 30(b)(6) deposition in New Jersey, and the judge held that, proceeding under the Hague Convention would unnecessarily delay discovery, and thus the Defendants were compelled to travel to the district in which the action was pending.

Accordingly, we look forward to seeing you and your clients at Gill Sperlein's offices in San Francisco on Monday April 25, 2011 and Tuesday April 26, 2011. However, if you contact us prior to April 13, 2011, and request that we modify the notices in order to meet at meet at your offices or one of the East Coast locations suggested in this letter, the Plaintiffs will be willing to accommodate any reasonable request.

If your clients do not attend the deposition in San Francisco, we will be forced seek appropriate sanctions. My research suggests that the court may enter monetary or equitable sanctions. These sanctions could be as harsh as finding your clients in default or barring them from raising any affirmative defenses.

Best regards,

Marc. J. Randazza

cc: Gill Sperlein
encl: Amended Deposition Notice of John Compton,
Amended Deposition Notice of Mash & New Ltd.,
Amended Deposition Notice of Port 80, Ltd.,
Amended Deposition Notice of David Compton
Amended Deposition Notice of GLBT, Ltd,
Lexis printout of *Trusz v. UBS Realty Investors*